

## Employment

### **General Welfare Requirement: Suitable People**

Providers must ensure that adults looking after children, or having unsupervised access to them, are suitable to do so.

## **2.6 Whistle Blowing**

### **Introduction**

Whistle blowing is the mechanism by which adults can voice their concerns, made in good faith, without the fear of repercussion. All of us at one time or another are concerned about things that happen at work. Usually these concerns are easily resolved. However, sometimes it can be difficult to know what to do.

You may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling it is none of your business or that it is only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or the organisation. You may feel that your job would be at risk if you raised your concern. You may decide to say something but find you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

### **When does whistle blowing apply?**

When you reasonably believe you have information which tends to show malpractice such as –

- Breach of legal obligation
- Criminal offence
- Breach of health and safety
- Environmental damage or
- Miscarriage of justice

It is inappropriate to raise a concern outside your organisation before you have raised it internally, as this might weaken the protection given to you under the Public Interest Disclosures Act 1998.

Employment grievances are not covered under the whistle blowing policies, these grievances should be raised under the organisations grievance policy which is given when someone starts work.

If you raise a concern in good faith, you should not be at risk of losing your job or suffer any form of retribution as a result. This does not extend to anyone who maliciously raises a matter they know to be untrue.

Harassment or victimisation of anyone raising a genuine concern should not be tolerated. It is acceptable to raise a concern in confidence and if you request your identity be protected; your details should not be disclosed without your permission. If a situation arose where your identity could not be kept confidential (i.e. if your evidence was required in courts) you will be consulted about the procedure.

## Downham Nursery School

Most organisations will consider anonymous concerns, however if you do not reveal yourself, the person investigating will not be able to give you any feedback. It would also make the task of investigating the concern more difficult.

### **How to raise concerns:**

- Speak to the nursery Supervisor either verbally or in writing.
- If you feel unable to raise it with your Nursery supervisor, go to the school proprietor.
- If you still have concerns or feel the matter is so serious you cannot discuss it with either of the above or you are unsure and want independent advice you should contact –

The independent charity Public Concern at Work on 0207 4046609. Their advisers can give free confidential advice at any stage about how to raise a concern about malpractice at work. They will support and advise you on the law and how to proceed. They will do this confidentially.

### **What happens if a concern is raised?**

The concern will be looked into to assess what action should be taken initially. This might be an internal inquiry or a more formal investigation. It should be acknowledged within days telling you who is dealing with it, how you can contact that person and whether you will be needed for further information.

You should say if you have a personal interest in the matter.

You should receive a written confirmation of your concern, and what is likely to happen. You should be advised of the outcome of the investigation in writing.

### **If you are dissatisfied**

If you are unhappy with the response from the investigating individual you can always speak to the charity Public Concern at Work at any stage of the process.

## Employment

### General Welfare Requirement: Suitable People

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## 2.6 Whistle Blowing policy

In order to maintain the highest standards in our setting employees are encouraged to raise serious concerns about possible malpractice, in good faith and be protected from possible reprisals or victimisation. Examples include – criminal offences, health and safety of an individual, damage to the environment, sexual or physical abuse of any worker or service user, discrimination based on disability, concealing information about any of these examples.

### PROCEDURE FOR INVESTIGATING, RECORDING AND REPORTING ALLEGATIONS OF MALPRACTICE.

Where a complaint of malpractice is received under the Whistle Blowing Policy the following procedure shall apply when investigating the allegations made:

- Where an allegation of malpractice is raised with the Nursery Manager she will immediately pass on in writing the allegation to the school proprietor.
- The Proprietor will nominate a person to carry out an investigation or carry out an investigation themselves.
- A written acknowledgement of the concern will be sent within 5 working days setting out –
  - Who is handling the investigation
  - How that person can be contacted
  - Whether further assistance may be needed
- The person investigating must within 5 more working days write to the complainant summarising the allegations made.
- Financial irregularity will not be investigated under the Whistle Blowing Policy.
- The investigating person will –
  - Conduct the investigation
  - Comply with the Human Rights Act 1998
  - Where anonymity is requested, ensure every effort is made to guarantee such confidentiality.
  - Propose an action plan for improvement where this is necessary.
  - Report the outcome to the most senior person in the organisation
  - Update the complainant of the progress made.

A central register will be kept of all complaints received. This shall be reviewed annually to identify the number of complaints, the outcome of each investigation including action plans for improvement.

## Downham Nursery School

This policy was adopted at a meeting of	Downham Nursery School	name of setting
Held on	July 2024	(date)
Date to be reviewed	July 2025	(date)
Signed on behalf of the management committee PP		
Name of signatory	E. J. Laffeaty-Sharpe	
Role of signatory (e.g. chair/owner)	Principal / Proprietor	